

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Paul Martakos, *et al.*

Serial No.: 10/807,709

Filed: March 23, 2004

For: *METHOD FOR FORMING EXPANDABLE  
POLYMERS HAVING DRUGS OR AGENTS  
INCLUDED THEREWITH*

Attorney Docket No.: ATA-372

Group Art Unit: 1732

Examiner: Stephen J. Lechert Jr.

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

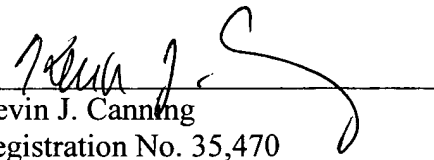
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1/19/05

Date of Signature and of Mail Deposit

By:

  
Kevin J. Canning  
Registration No. 35,470  
Attorney for Applicants

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

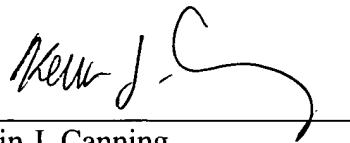
Applicants and their Attorney are aware of the following publications and information, listed on the attached PTO Form SB/08, and in accordance with 37 CFR §1.97 hereby submit these publications for the Examiner's consideration. A copy of each cited publication is enclosed. Copies of cited U.S. patents and U.S. publications (Reference ID Nos. A1-A11, B1-B15, C1-C9) are not enclosed with this statement. Copies of foreign patent

documents and non-patent literature (Reference ID Nos. A12-A20, B16-B18) are enclosed in accordance with 37 CFR 1.98(a)(2).

This statement is not to be interpreted as a representation that the cited publications are material, that an exhaustive search has been conducted, or that no other relevant information exists. Nor shall the citation of any publication herein be construed *per se* as a representation that such publication is prior art. Moreover, Applicants understand that the Examiner will make an independent evaluation of the cited publications.

Under 37 CFR § 1.97(b)(3), no additional costs are believed to be due in connection with the filing of this disclosure. If, however, a first Office Action on the merits issues in this application bearing a mailing date prior to the date of this Information Disclosure Statement, please charge the appropriate fee as required under 37 CFR §1.17(p) to our Deposit Order Account No. 12-0080.

Respectfully submitted,  
LAHIVE & COCKFIELD, LLP



Kevin J. Canning  
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Attorney for Applicants

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Date: January 19, 2005  
KJC/SDD/VPL/eas  
Enclosures



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\* Admitted in TX only  
\*\* Admitted in CT only

January 19, 2005

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Re: U.S. Patent Application No.: 10/807,709  
For: *METHOD FOR FORMING EXPANDABLE POLYMERS HAVING DRUGS  
OR AGENTS INCLUDED THEREWITH*  
Inventors: Paul Martakos, *et al.*  
Filed: March 23, 2004  
Our Ref. No.: ATA-372

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Information Disclosure Statement;
2. PTO Form SB/08;
3. Copies of selected references cited in PTO Form SB/08 (12); and
4. A Return Postcard.

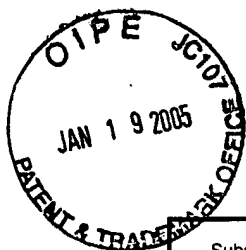
No additional costs are believed to be due in connection with the filing of this Information Disclosure Statement. However, please charge any necessary fees in connection with the enclosed statement to our Deposit Order Account No. 12-0080. For this purpose, a duplicate of this sheet is attached.

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1/19/05  
Date  
Kevin J. Canning  
Kevin J. Canning Registration No. 35470

Respectfully submitted,  
LAHIVE & COCKFIELD, LLP

Kevin J. Canning  
Registration No. 35,470  
Attorney for Applicants



PTO/SB/08a/b (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

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Substitute for form 1449A/B/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet	1	of	3	Attorney Docket Number	ATA-372
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**Complete if Known**

Application Number	10/807,709
Filing Date	March 23, 2004
First Named Inventor	Paul Martakos
Art Unit	1732
Examiner Name	Stephen J. Lechert Jr.
Attorney Docket Number	ATA-372

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	A1	3,862,030	01-21-1975	Goldberg	
	A2	4,177,334	12-04-1979	Okita	
	A3	4,187,390	02-05-1980	Gore	
	A4	4,598,011	07-01-1986	Bowman	
	A5	4,938,911	07-03-1990	Bastiaansen, <i>et al.</i>	
	A6	5,064,593	06-26-1991	Tamaru, <i>et al.</i>	
	A7	5,080,899	01-14-1992	Sturm, <i>et al.</i>	
	A8	5,288,711	02-22-1994	Mitchell, <i>et al.</i>	
	A9	5,411,550	05-02-1995	Herweck, <i>et al.</i>	
	A10	5,476,589	12-19-1995	Bacino	
	A11	5,516,781	05-14-1996	Morris, <i>et al.</i>	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
	A12	JP 54086573	07-10-1979	Nitto Electric		
	A13	EP 0 288 021 B1	10-26-1988	PPG Industries		
	A14	JP 06071744	03-15-1994	Dai Ichi Kogyo Seiyaku Co.		
	A15	EP 0 106 496 B2	04-25-1984	W.L. Gore & Associates		
	A16	WO 98/26731 A2	06-25-1998	Atrium Medical Corp.		
	A17	WO 00/12147 A1	03-09-2000	Scimed Life Systems Inc.		
	A18	WO 01/15764 A1	03-08-2001	Cardiovasc, Inc.		
	A19	WO 01/21106 A1	03-29-2001	Impra, Inc.		

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	A20	Libby P. Atherosclerosis: the new view. Sci Am. 2002 May;286(5):46-55.	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
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Substitute for form 1449A/B/PTO  <h2 style="text-align: center;">INFORMATION DISCLOSURE STATEMENT BY APPLICANT</h2> <p style="text-align: center;">(Use as many sheets as necessary)</p>				<b>Complete if Known</b>	
				Application Number	10/807,709
				Filing Date	March 23, 2004
				First Named Inventor	Paul Martakos
				Art Unit	1732
				Examiner Name	Stephen J. Lechert Jr.
				Attorney Docket Number	ATA-372
Sheet	2	of	3		

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Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	B1	5,552,100	09-03-1996	Shannon, <i>et al.</i>	
	B2	5,641,373	06-24-1997	Shannon, <i>et al.</i>	
	B3	5,721,283	02-24-1998	Howard, Jr., <i>et al.</i>	
	B4	5,788,626	08-04-1998	Thompson	
	B5	5,800,522	09-01-1998	Campbell, <i>et al.</i>	
	B6	5,824,050	10-20-1998	Karwoski, <i>et al.</i>	
	B7	5,843,173	12-01-1998	Shannon, <i>et al.</i>	
	B8	5,853,419	12-29-1998	Imran	
	B9	5,897,587	04-27-1999	Martakos, <i>et al.</i>	
	B10	5,964,798	10-12-1999	Imran	
	B11	5,976,169	11-02-1999	Imran	
	B12	6,022,374	02-08-2000	Imran	
	B13	6,022,374	02-29-2000	Imran	
	B14	6,153,252	11-28-2000	Hossainy, <i>et al.</i>	
	B15	6,159,531	12-12-2000	Dang, <i>et al.</i>	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
	B16	WO 01/82833 A2	11-08-2001	Cardiovasc, Inc.		
	B17	WO 02/26279 A1	04-04-2002	Angiomed GMBH & Co.		
	B18	WO 02/36054 A1	05-10-2002	Sirolimed, LLC		

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Sheet	3	of	3	Attorney Docket Number	ATA-372

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	C1	6,231,600 B1	05-15-2001	Zhong	
	C2	6,273,913 B1	08-14-2001	Wright, <i>et al.</i>	
	C3	6,355,063 B1	03-12-2002	Calcote	
	C4	6,364,856 B1	04-02-2002	Ding, <i>et al.</i>	
	C5	6,364,903 B2	04-02-2002	Tseng, <i>et al.</i>	
	C6	6,368,626 B1	04-09-2002	Bhatt, <i>et al.</i>	
	C7	6,613,082 B2	09-02-2003	Yang	
	C8	6,613,084 B2	09-02-2003	Yang	
	C9	2004/0142094 A1	07-22-2004	Narayanan	

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